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# I. F. Stone's Weekly

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# Ike Leaves the Supreme Court in The Lurch

*Wednesday Evening*

I fear the President at press conference today did our country a grave harm. Southern resistance will be invigorated by his failure unequivocally to deny the report that he wishes the Supreme Court had never handed down the school decision and by his admission that *Newsweek* may have been correct in saying that he told friends he thinks integration should proceed more slowly. (If it proceeds any more slowly they'll soon be *de*-integrating in Clinton, Tenn., as well as in Little Rock). The headline, "Ike Hints He Thinks School Integration Is Moving Too Fast," will reverberate like a rebel yell through the South. After years of refusing to express an opinion on the subject, Mr. Eisenhower let slip a remark which shows he is at best lukewarm on integration, and regards it as another of those bothers which are the bane of the Presidency. On the eve of the Supreme Court's special session on Little Rock, Mr. Eisenhower had disassociated himself from the Court and helped further to weaken and isolate it in the most fateful hour it has known since Dred Scott sued for freedom.

## A Crafty Bumbler

Mr. Eisenhower was asked seven questions about integration at today's press conference and managed, in his wooly-minded but self-protective way, to undermine the Court and the cause of integration in every answer. He made it clear that the Attorney General was filing a brief amicus in the Little Rock appeal only because the Court's invitation was a command, and because he was an officer of the Court. "I don't think that I would instruct them to argue one way or another," Mr. Eisenhower said. "As lawyers, as an officer of the court, they have to voice their honest convictions." Would the brief be applicable to other situations? "Well, I think that you are making some unwarranted assumptions," Mr. Eisenhower replied. "The Justice Department has been ordered to file a brief on one particular decision by the Appellate Court, and I don't think it has anything to do with the rest of the problem." It was almost as if Mr. Eisenhower were telling the South, "I, too, am a victim of the Court's coercion." Over and over again he emphasized that the brief amicus was none of his doing, although "I would assume that any decision would certainly—I mean any brief would try to reflect the views of all of us, so far as I know, have held from the beginning." No one ventured to ask what those views were.

The power of headlines to distort is visible tonight in one newspaper which screams across page one, "President Hits School Closings As 'Terrible'." I am afraid this will be typical. It hardly gives the true flavor of what Mr. Eisenhower actually said. When asked about state laws to close schools rather than integrate, the President first "didn't understand" the question and then said "This, of course, would be a very terrible outcome." But, he suggested, hopefully passing the buck to the courts again, that this would cause a lot of litigation. (What would people do, sue their legislatures?) Then he was sure "there would be great pressure to open the schools" but was carefully to add, lest it be thought that he meant to open them on an integrated basis, "under whatever circumstances the inhabitants believed would be best." This is tailor-made for Faubus.

## Federal Funds to Aid Integration

A Washington reporter pointed out that across the river in Arlington, Virginia, integrated schools would be deprived of State funds as a penalty for obeying the law. The reporter wanted to know whether in such cases Federal funds might be made available. Mr. Eisenhower, after a lot of palaver about not shooting from the hip, indicated he didn't think this would be fair and equal treatment. (One thought it a pity, listening to him, that there were no tape-recordings of Eisenhower at staff conferences in his army days. Did he ever risk a clear opinion?)

## Even Rogers Has More Courage

When Mr. Eisenhower was asked whether the brief amicus in the Supreme Court would express his personal views, he said his own had been expressed "succinctly" in the prepared statement he gave out at his preceding conference. Succinct is a strange adjective for a statement eight paragraphs long in which one cannot find either the word "school" or the word "Negro" much less any opinion on integration. Any craggy question finds this man as sure-footed as a mountain goat. Even his Attorney General, William P. Rogers, Senator Eastland's friend, in his speech today before the American Bar Association in Los Angeles, made it clear that integration was not just "the law" because this perverse Supreme Court happened to read Gunnar Myrdal but because "For a nation which stands for full equality under law—which solemnly believes that all men are equal before the law, regardless of race, religion, or place of national origin—the result undoubtedly is permanent . . . the law of the land for today, tomorrow and I am convinced for the future—for all regions and for all people." Is Mr. Eisenhower incapable of speaking up in some such fashion? It is tragic that just when another irrepressible crisis looms ahead there should be such a nobody in the White House.



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**Without An Alert Public Opinion, Any New Agreement Can Easily Be Prevented**

# The Jokers Hidden in the Nuclear Test Cessation Announcement

The announcement on the cessation of nuclear testing is tricky. It must be evaluated (1) in the light of Administration press agent policies and (2) the President's habits as an executive. The press agentry consists in leaking any major move in as glamorous a form as possible to get the maximum headline effect, leaving the small print for later. Thus the impression created during the past week is simply that the U. S. and the United Kingdom, on the heels of agreement by their technical experts at Geneva, had agreed to cease testing.

## Keeping Everybody Happy

Now for the second factor—the President's habits as an executive. Mr. Eisenhower always seeks for some common denominator of policy which will be acceptable to all the diverse views and interests of his official family.

The Pentagon is concerned with making atomic war "conventional," i.e., in developing a whole family of nuclear weapons and of making them as "clean" as possible in order not to harm our own troops. The AEC, caught up in the sheer technological momentum and zest of development, is also for continued testing. If the Pentagon and the AEC have their way, testing will go on forever. This was implied in that statement the AEC had ready for release August 11 with the UN Radiation Commission report. "Man must learn to live with new risks," the AEC said complacently, "even as he accepts new benefits." (The benefit, i.e., of ever more effective means of blowing himself to smithereens).

But the Administration also has to take into account public opinion. This is the State Department's bailiwick. It cannot afford to appear to be shutting the door brusquely on the possibility of a test cessation agreement. At the same time, it does not want an agreement which will relax tension at least until the Russians give in and permit reunification of Germany on Western terms. The State Department needs some way to disarm public opinion at minimum price, and to bog the question down (as disarmament has been) in interminable complex negotiations.

There are also senior military officers like Gen. Omar Bradley, who see that the electronic arms race cannot go on forever. There are moneyed men who fear it must undermine fiscal solvency. The President seems to side with them.

This accounts for the friendly, optimistic reactions of the President at his press conference of August 20 when asked for comment on the agreement reached by the experts at Geneva that a test cessation agreement could be policed effectively. I suspect the real reason for Mr. Dulles's sudden flight back to Washington that afternoon was alarm over the tone and content of what Mr. Eisenhower had to say, particularly his dismissal of the idea that lack of an agreement with Red China might be a stumbling block and his Stassen-line statement that the Geneva agreement "gives grounds to hope you can go another step, and every step that you go means you can go another step." This implied abandonment of the disarmament "package" favored by Mr. Dulles because it is virtually inextricable.

## A Slick New Package

The result of intra-Administration compromise is a slick new package. Testing will be suspended but not until October 31, giving the AEC two months more of testing. The suspension will only be for one year; it would take a year or two anyway to prepare new tests. The suspension will be renewable but only on a year-to-year basis, dependent on how we think the inspection system is working and on whether "satisfactory progress is being made in reaching agreement on and implementing major and substantial arms control measures such as the United States has long sought." This ties a test agreement back into the bigger disarmament package of August 1957 which also provided for a one-year conditional and temporary cessation of testing.

We have moved, but not far. Without an aroused public opinion, it will be easy for those forces in the Administration which want continued testing to block or sabotage any agreement.

### Stone to Talk on Nuclear Testing

**A Student Council for A Sane Nuclear Policy will be organized by representatives from various college campuses at a meeting in New York City next Monday, September 8. Students interested can reach the Council at 202 E. 44th St., New York 17, N. Y.**

**The Council will hold a public meeting at 8 p. m. that evening in the Judson Memorial Church, 55 Washington Square. I. F. Stone will be the main adult speaker and will give a first-hand report on the prospects for a testing agreement and its importance to peace.**

**It is most encouraging that young people on the campuses are again a-stir on the great issues of our time. Readers are urged to give the students a warm send-off by attending this meeting and joining in the discussion. Please come.**

## Pentagon and AEC Experts Fear For Their "Ideal" and "Refined" Weapons

**"The consensus among atomic experts here [in Washington] is that President Eisenhower's proposed one-year test suspension would have no effect whatever on U. S. nuclear might. An indefinite suspension would. But a one-year moratorium would not halt tests in progress or scheduled this year. It would not slow the stockpiling of nuclear arms. It would not alter the generally accepted fact that the U. S. atomic arsenal is larger and more varied than Russia's. . . . A one-year suspension wouldn't even slow the Nation's normal rate of atomic weapons testing to any great extent. It takes about two years to prepare a big test like that held this Spring and Summer at Eniwetok.**

**"An indefinite suspension, however, would hamper America's efforts. . . . Experts of the AEC, Defense Department and Congress . . . agree that this country right now could equip intermediate range and intercontinental ballistic missiles with nuclear warheads. THE NEARLY CONCLUDED PACIFIC TESTS MAKE THIS CERTAIN.**

**"These warheads, however, would be far from ideal for their purpose, and without any additional tests it would be impossible to refine them. . . ."**

*—UPI Story, Washington Post, Aug. 24.*

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**The Legal Profession, A Few Brave Senators and Lyndon Johnson Deserve Credit**

# Not A Single Anti-Supreme Court or Repressive Bill Passed

Not a single bill aimed to overrule the Supreme Court and not a single piece of new witch hunt legislation passed the last session of Congress. Last minute efforts in the closing hours to put through (1) a passport bill, (2) a modified version of the Mallory bill, (3) the Smith bill which grew out of the Steve Nelson sedition case and (4) the Walter bill to overrule the Cole decision all failed on the Senate side. The Jenner-Butler bill died earlier, as did the bill to narrow the right of appeal to the Federal courts on habeas corpus (important to Negroes convicted in Southern courts).

## Nixon Upholds the Liberals

The last and narrowest scrape of the session came with the Mallory bill. House-Senate conferees (with Chairman Celler of House Judiciary and Senator Carroll, *D. Col.,* dissenting) had worked out a compromise. The House conferees accepted the Senate insistence that any delay in arraigning a defendant be "reasonable" while the Senate conferees accepted a House amendment saying, "Provided that such delay is to be considered an element in determining the voluntary or involuntary nature of such statements or confessions" made before arraignment. The effect might have been to allow police to hold a suspect as long as they like providing that any confession was not challenged. If so, it would have been of dubious constitutionality. When the bill in this form came over to the Senate, Senator Carroll raised a point of order, claiming that the House amendment represented "new matter" and was therefore ineligible under the rule requiring any conference compromise to be within the limits set by the vote in either House. Vice President Nixon upheld Carroll, and Lyndon Johnson at once moved for adjournment. It was 4:11 a. m. Sunday morning.

Another bill which died after successfully hurdling a House-Senate conference was the Walter security bill. On the Senate side this had started with S 1411, a measure by Olin Johnston of South Carolina permitting agency heads to go on paying the salary of employes summarily suspended while awaiting final disposition of their case. In the House, Walter added amendments which transformed the measure, turning it into a bill to overrule the Cole decision and extend summary security-loyalty dismissals to all agencies of the government even the non-sensitive. In conference committee, a compromise was reached limiting the effect of the bill until next June 30. Senator Johnston : chairman of Post Office and Civil Service deserves credit for resisting strong pressure for passage of the bill; the conference report was filed but the measure was never called up for a vote. This will be goods news for scores of government employes being reinstated in non-sensitive agencies from which they were purged on tenuous loyalty charges years ago.

Just before adjournment, the House passed the Selden bill to legalize State Department travel restrictions but when it reached the Senate, the measure was referred for burial to Foreign Relations. The Smith "States Rights" bill which grew out of the Nelson sedition case and would have disrupted State-Federal relations in many fields was recommitted 41-40 on Thursday, August 21. Johnson and Yarborough of Texas and Kefauver (but not Gore) of Tennessee broke the otherwise solid ranks of the South to vote against the bill. Fulbright (see box below) did not join them.

The succession of defeats led Eastland to complain in a Senate speech "there is no effective anti-subversive legislation [left] in this country today at either the State or Federal level." The coalition of racists and Red hunters were defeated but it was a close squeak. The civil liberties organizations worked hard but the public was indifferent.

All through the voluminous hearings and debates on these measures it was evident that the legal profession is a kind of secular priesthood. Its special knowledge and traditions proved powerful forces in the maintenance of "due process" of law and basic liberties against the repressive and lynch-mind tide. Chairman Hennings of the Senate subcommittee on constitutional rights deserves our gratitude for much hard work and solid accomplishment. He was ably seconded by Javits of New York in the successful fight against the Butler-Jenner bill. Morse blocked passport legislation and with Carroll of Colorado helped at many other crucial moments on the floor. But a large part of the credit must in all justice go to Lyndon Johnson. The Senate majority leader proved his "moderation" in courageously taking a stand against his fellow Southerners. Otherwise little of this legislation could have been blocked.

### Notice to Readers

**The Weekly is published 48 weeks a year, numbered consecutively. Ordinarily it does not go to press the last two Thursdays of August and December. This year we worked through the August vacation because of the special UN meeting and the late closing of Congress. We hope to take one or two weeks of this vacation later this Fall as a means of enabling us to cover a major assignment out of Washington or abroad. IFS.**

## Fulbright: Speaks With the Angels, But Votes With Eastland

**"What show of reflection and choice was there in much of the decade of the 1950's when the word egghead became a term of abuse; when education was neglected; when intellectual excellence became a cause for suspicion; when the man in public life, or the writer, or the teacher, who dared articulate an original thought risked being accused of subversion. . . .**

**"It was because there was so little reflection and choice in this period that what we got in government was a government which entrusted the highest interests of state to the play of accident and force. For whenever we brought ourselves to do anything at all about a crisis that exploded before our astonished eyes, we almost automatically reached for bigger bombs and bigger bombers. . . .**

**"We have lately heard a great deal about the nuclear gap between the United States and the Soviet Union. I suggest that an equally serious gap is that which exists between the profession and the practice of the tenets of freedom in this country. . . . We have bridged this gap with an unspoken demand for rigid conformity, with an excess of self-righteous moralizing."**

*—Fulbright (Ark.), U. S. Senate, Aug. 21.*



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**Unexpected Arab Agreement Provides A Breathing Spell for Constructive Mid-East Solutions**

# The UN General Assembly Did Succeed in Patching Up the Peace

The special session of the UN General Assembly on the Middle East solved none of the region's complex problems but it did resolve a crisis and provide a breathing spell. The main contenders lost. The U. S. and the U. K. failed to indict the U. S. S. R. for indirect aggression. The U. S. S. R. failed to get a resolution for the immediate withdrawal of Anglo-American troops. Both sides gained a face-saving context in which to work out a compromise solution.

Mr. Hammarskjold is the world's foremost skater on thin ice but could have done nothing without the consent of the Arabs themselves. The miracle of an Arab agreement, on moderate terms, in the framework of an Arab League suddenly raised from the dead, gave him his chance. But the "practical arrangements" the Secretary General was requested to make in Jordan and Lebanon by the unanimously approved Arab resolution require private agreement among the powers. These alone can "make possible" (in the resolution's words) "the early withdrawal of foreign troops."

## Delicate Operation

Hussein is doomed. Some way must be found to arrange his safe abdication and a more popular regime. This could erupt into war without quiet talks with Moscow, Cairo and Jerusalem as well as Washington and London. Let us hope such talks had already begun before the Assembly ended.

Fresh ideas are badly needed. Jordan was never a nation. Its Palestinians and its Bedouins live in worlds far apart, many of the latter still contemporary with Father Abraham. The ideal solution would be to join Jordan with Syria and Egypt in the United Arab Republic in return for recognition of Israel and resettlement of the Arab refugees. To fit the U. A. R. into a looser Arab Federation, to link Israel with it some day in a broader Semitic League, would be to provide the framework for peaceful development.

Israel's one hope of survival lies in this direction, not in reliance on the fickle friendship of great Powers for whom it must always be a second best card to be abandoned any time the Arabs come to terms. It is poisonous for Israel to be the darling of French colonialism, and to let Britain and the U. S. use Israel as a bogeyman in Cairo, threatening to unleash Ben Gurion if Nasser does not behave.

## New Holy Alliance?

We hope thoughtful Americans will note the hostility the uncommitted nations and Latin America showed at the special session to the Dulles doctrine of a right to intervene against "indirect aggression" and his hope of creating a UN police force for this purpose. Sir Claude Corea of Ceylon warned that by this means "unpopular governments in other places might seek the assistance of friendly countries to intervene with armed force . . . against the wish of a majority of their people." This is the kind of intervention by the Holy Alliance on behalf of "legitimate" governments against which the Monroe Doctrine was erected. Now Mr. Dulles proposes that we play Metternich's role and use the United Nations as our tool.

### Was the Tsar, Too, A Victim Of "Indirect Aggression"?

**Life Magazine recently ran an overcolored and underdone rewrite of the Russian Revolution by Alan Moorehead. He was assigned to dramatize researches financed by the magazine into captured German Foreign Office archives. The researcher was a rightist professor at Georgetown University. The purpose was to find new evidence to prove a once popular theory (supported by the forged "Sisson Papers") that Lenin and Trotsky were German agents who had somehow subverted the loyalty of the Russian people to their Tsar. In other words, the revolution was the result of "indirect aggression." The Life series has just appeared in book form and is being treated as if it were a respectable work of scholarship. (An exception was Harrison Salisbury's review in the August 24 New York Times). It is interesting to see past history being rewritten in these worm-eaten terms at a time when the State Department is again trying in the Middle East and elsewhere to treat popular revolution as the product of some insidious necromancy to be combatted by better border control.**

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